

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

Charles Baird, et al.,

Case No. 4:17-cv-01892-HSG

Plaintiffs,

STIPULATED FINAL JUDGMENT

vs.

BlackRock Institutional Trust Company,
N.A., et al.,

Defendants.

STIPULATED FINAL JUDGMENT

IT IS HEREBY ORDERED AND ADJUDGED:

1. The Court has jurisdiction over the subject matter of this Action, brought pursuant to ERISA §§ 502(a)(2) & 502(a)(3), 29 U.S.C. §§ 1132(a)(2) and 1132(a)(3), and over all Parties to this Action, including all members of the BlackRock Plan Class.¹

2. The Court hereby adopts and incorporates as if fully set forth herein the Order Granting Motion for Final Settlement Approval and Granting in Part and Denying in Part Motion for Attorneys' Fees, Costs, and Incentive Awards, Dkt. No. 490 ("November 3 Order").

3. The Court hereby approves the Settlement embodied in the Settlement Agreement which includes the payment of nine million six-hundred fifty-thousand dollars (\$9,650,000) by Defendants, as constituting a fair, reasonable and adequate settlement and compromise in this Action in accordance with all applicable laws, including Federal Rule of Civil Procedure 23, and orders that the Settlement Agreement shall be effective, binding, and enforced according to its terms and conditions, upon the following certified Class: All participants (and their beneficiaries) in the BlackRock Retirement Savings Plan during the Class Period of April 5, 2011 through July 12, 2021.

4. The Court determines that Defendants have fully complied with all requirements

¹ For purposes of this Final Judgment, capitalized terms used herein have the Definitions used in the Settlement Agreement Dated March 9, 2021, which is incorporated herein by reference.

1 of the Class Action Fairness Act, 28 U.S.C. §§ 1332, 1453, and 1711–1715.

2 5. The Court hereby dismisses with prejudice the Action and all Released Claims asserted
3 therein whether asserted by Class Representatives on their own behalf or on the behalf of the Class
4 Members, or derivatively to secure relief for the Plan, without costs to any Party other than as provided
5 for in the Settlement Agreement.

6 6. The Plan and each Class Member (and their respective heirs, beneficiaries, executors,
7 administrators, estates, past and present partners, officers, directors, agents, attorneys, predecessors,
8 successors, and assigns) shall be conclusively deemed to have, and by operation of the Final Judgment
9 shall have, fully, finally, and forever settled, released, relinquished, waived, and discharged the
10 Released Parties and the Plan from all Released Claims.

11 7. The Court expressly retains jurisdiction over all Parties, the Action, and this Settlement
12 Agreement to resolve any dispute that may arise regarding this Settlement Agreement or the Orders
13 referenced herein, and no Party shall oppose the reopening and reinstatement of the Action on the
14 Court's active docket for the purposes of effecting this paragraph. Any motion to enforce this
15 Settlement Agreement may be filed in the U.S. District Court for the Northern District of California
16 or asserted by way of an affirmative defense or counterclaim in response to any action asserting a
17 violation of the Settlement Agreement.

18 8. Class Counsel are hereby awarded \$2,798,500 in Attorneys' Fees, to be paid in
19 accordance with the Settlement Agreement, and reimbursement of \$641,557.58 for expenses.

20 9. Each Class Representative is hereby awarded a Service Award of \$10,000. In
21 addition, each Class Representative is also eligible for a share of the payment from the Settlement
22 Fund as a member of the Class.

23 10. Upon entry of this Final Judgment, all Parties including the BlackRock Plan Class
24 shall be bound by the Settlement Agreement and by the November 3 Order and Final Judgment.

25 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**
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1 Dated: November 5, 2021

O'MELVENY & MYERS LLP

2 By: /s/ Brian Boyle
3 Brian Boyle

4 Attorneys for Defendants BlackRock
5 Institutional Trust Company, N.A., Blackrock,
6 Inc., the BlackRock, Inc. Retirement Committee,
7 the Investment Committee of the Retirement
8 Committee, the Administrative Committee of the
9 Retirement Committee, the Management
10 Development & Compensation Committee of the
11 BlackRock, Inc. Board of Directors, Anne
12 Ackerley, Catherine Bolz, Chip Castille, Marc
13 Comerchero, Paige Dickow, Daniel A. Dunay,
14 Any Engel, Nancy Everett, Joseph Feliciani, Jr.,
15 Michael Fredericks, Corin Frost, Daniel Gamba,
16 Kevin Holt, Chris Jones, Milan Lint, Philippe
17 Matsumoto, Katherine Nedl, John Perlowski,
18 Ann Marie Petach, Andy Phillips, Kurt
19 Schansinger, Tom Skrobe, Jeffrey A. Smith, Joel
20 Davies, John Davis, and Laraine McKinnon

14 Dated: November 5, 2021

COHEN MILSTEIN SELLERS & TOLL PLLC


15 FEINBERG, JACKSON, WORTHMAN &
16 WASOW, LLP

17 By: /s/ Mary Bortscheller
18 Mary J. Bortscheller

19 Attorneys for Plaintiffs Charles Baird and
20 Lauren Slayton and the Class

21 **IT IS SO ORDERED, PURSUANT TO STIPULATION.**

23 Dated: 11/8/2021

24 
25 HAYWOOD S. GILLIAM, JR.
26 United States District Judge
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